

**SOUTH DAKOTA DEPARTMENT OF EDUCATION AND CULTURAL AFFAIRS
OFFICE OF SPECIAL EDUCATION**

**Custer School District
Continuous Improvement Monitoring Process Report 2001-2002**

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This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Office of Special Education. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
Meets requirements	The district/agency consistently meets this requirement.
Needs Improvement	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
Out of Compliance	The district/agency consistently does not meet this requirement.
Not applicable	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data sources used:

- Custer Area Service Directory
- Comprehensive plan
- Special education director job description
- Newspaper notices
- Kindergarten roundup data

- Early childhood screening flyers
- Teacher Assistance Team data
- School handbook
- Custer School District website
- Process and procedures manual
- Child find provider agreement
- Department of Social Services grant agreement
- New teacher inservice special education booklet
- Staff, administrator and parent surveys
- Student IEPs
- Special education budget
- SAT 9 evaluation data
- Tables C, D, H and child count
- Content standards and functional standards booklet
- Profile of Custer District
- School board policy
- MS/HS discipline listing
- Certification list, job vacancies, authorities to act
- Workshops and trainings completed
- Monthly special education meetings
- Migrant contract
- Consultant logs
- New teacher mentor list
- IEP progress data

Promising Practice

The Custer School District steering committee identified the following as promising practices in general supervision. Custer School District employs a full-time special education director and a grant-funded family advocate who helps to facilitate the child find process. The district provides early childhood screening four times per year to find students with disabilities. The new teacher in-service held annually addresses pre-referral strategies. A mentor program is in place for new teachers to special education and for teachers changing positions within special education. Custer District has not utilized long-term suspension or expulsion for students with disabilities since 1997. ACE is an educational center within Custer School District for “at-risk” youth. Finally, “at-home” technology and training is provided as designated on IEPs.

Meets requirements

As areas that meet requirements, the screening committee identified that Custer School District utilizes pre-referral, referral and tracking strategies to identify students in need of special education. The district also provides parental rights to all parents and communicates with parents of children who are home-schooled or enrolled in private schools to ensure that children with disabilities are properly identified and served. The district employs, supervises, and evaluates qualified staff, and opportunities for professional development are provided.

Needs Improvement

The steering committee identified that the district needs to develop a comprehensive system of personnel development, based upon the needs of children with disabilities, to include all staff and, when appropriate, parents. The district needs to work toward a 0% dropout rate in special education. The district also needs to develop an effective method to use standardized testing data. The use of state

standards in IEP goal determination needs to be documented. All schools need to provide written documentation of suspension/expulsion.

Validation Results

Promising Practice

The review team validates the use of a family advocate in the child find process as a promising practice. The advocate is able to help with those families that need assistance regarding available screenings and other child find activities in order to identify all children with disabilities within the district. The district also holds an annual inservice training to address pre-referral strategies for all new staff, including non-educators, and the monitoring team validates this as a promising practice. New staff are given a booklet of strategies at this training for future reference. Another promising practice noted by the steering committee and validated by the review team is the practice of using teacher mentors for new special educators, as well as for special educators that have switched special education assignments within the district. The teacher mentors are paid to assist the new special educators during their first year in the position. The district also pairs up special educators to review IEPs for all required content. This personnel training and collaboration activity was noted as a promising practice by the review team. Finally, ACE is an alternative school that is within Custer High School and offers “at risk” students that are having difficulty with the requirements at the high school another avenue to achieve the credits required for graduation. The monitoring team validates this as a promising practice as it allows for more students to be successful within the district.

Meets requirements

The monitoring team validated all areas identified as meeting requirements in general supervision with the addition of the following. While the steering committee concluded that early childhood screenings held four times per year as a promising practice for the district; administrative rules require that school districts develop and utilize a system for the identification, location, and evaluation of children in need of special education. Therefore the monitoring team validates these screenings as meeting requirements for the district.

The steering committee noted as a promising practice that Custer School District has not used long-term suspension or expulsion for students with disabilities since 1997. The review team was able to validate that students with disabilities have not been suspended or expelled in the district during these years. Administrative rules require that additional procedures be implemented when suspending or expelling students with disabilities. Since Custer School District has the procedures in place, but has not had to implement these procedures, the monitoring team validates this as meeting requirements for the district.

While the steering committee concluded that the provision of “at-home” technology and training to students is a promising practice, administrative rules require that students who use assistive technology as a related service in order to benefit from special education have access to this technology if it is needed at home. Therefore, the monitoring team validates this as meeting requirements for the district.

Needs improvement

The steering committee identified that the district needs to develop a comprehensive system of personnel development, based upon the needs of children with disabilities, to include all staff and, when appropriate, parents. The monitoring team validates this as an area of needed improvement for the district. The steering committee also identified that the district needs to work toward a 0% dropout rate in special education. The dropout level is not high for the district; only one student with disabilities dropped out of the Custer School District last year. The monitoring team, however, still encourages the district to strive for the 0% dropout rate.

Other areas of needed improvement that were identified by the steering committee, such as developing an effective method to utilize standardized testing data, and documenting the used of state standards within the IEP. The team could not validate these as areas of needed improvement, but the district is encouraged to work on them in order to benefit students and track progress.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data sources used:

- Special education budget
- Special education data analysis
- Parent’s rights booklet
- Board of Education Policy
- Comprehensive plan
- Tables B, C, E, F, I, K and child count
- Student file reviews
- Parent advisory team meeting agendas

Promising Practice

The steering committee concluded that the involvement of the special education advisory team in contracting related services is a promising practice.

Meets requirements

The steering committee concluded that the Custer School District provides all eligible children with disabilities a free and appropriate public education in the least restrictive environment.

Needs improvement

The steering committee identified as an area of needed improvement that all attendance centers within the district need to provide written documentation of suspension/expulsion.

Validation Results

Promising Practice

The special education advisory team for the Custer School District consists of parents, special education teachers, and general education teachers. The advisory team meets four times a year and has programs regarding services available and other issues. The Custer School District hires contractors for the provision of occupational and physical therapy services, and this team was used to assist in the hiring process for these contractors. The monitoring team validates this as a promising practice.

A promising practice not identified by the steering committee, but noted by the review team, is the teacher “N” teams. Teacher “N” teams were developed by the district as a result of the Columbine

tragedy to help students become comfortable with staff and discuss issues that may concern them. A teacher is assigned 8 – 12 students when the students are freshmen and that same teacher remains with those students throughout high school. Specific topics are addressed at scheduled meetings held once every two weeks, and the students are also welcome to discuss issues. Staff interviewed stated that the student and adult bond that occurs during the high school years has been beneficial for students and the school.

Meets requirements

The monitoring team agrees that the Custer School District provides all eligible children with disabilities a free and appropriate public education in the least restrictive environment. Custer School District consistently meets requirements for the district.

Needs improvement

The steering committee identified as an area of needed improvement that all attendance centers within the district need to provide written documentation of suspension/expulsion. The elementary school is the only attendance center that does not document suspensions and/or expulsions. Since there have not been any suspensions and/or expulsions at the elementary level, the monitoring team could not validate this as an area of needed improvement.

Principle 3 – Appropriate Evaluation

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data sources used:

- Administrative rules regarding eligibility
- Pre-evaluation determination form
- Prior notice forms
- Parent's rights booklet
- Student file reviews
- Comprehensive plan
- Process and procedures
- DACS information
- Migrant contract

Promising Practice

The steering committee identified as a promising practice that the Custer School District has a half-time special education teacher position to assess student achievement for initial referrals and reevaluations.

Meets requirements

The steering committee concluded that the following activities assist the district in meeting requirements in appropriate evaluation. Proper evaluation instruments are determined for each student using the criteria of validity, standardization, student needs, and student native language. The district sends the parents written notice for all evaluations and obtains consent before initial evaluations. The district

follows South Dakota State Law regarding eligibility. There have been no requests for mediation since Custer District was last monitored.

Out of compliance

The steering committee identified the following areas in evaluation to be out of compliance. Each evaluation team member did not have input regarding the types of assessments given and whether or not additional information was needed on a student to redetermine eligibility. Student file reviews showed that all evaluations did not meet the time requirements. Functional assessment was not used for all students in order to measure present levels of performance and develop an individual education program. The district did not have documentation showing that parents received copies of all evaluations. Environmental factors were not considered in all cases of students with learning disabilities when eligibility was determined.

Validation Results

Meets requirements

The monitoring team validated and agrees with all areas that were identified as meeting requirements with the following addition. While the steering committee identified as a promising practice that the district utilizes a half-time special education teacher to assess student achievement for initial referrals and reevaluations, SD Administrative Rules require that a certified teacher with training in individual and group testing conduct assessments. Therefore, the monitoring team validates this as an area meeting requirements for the district.

Needs improvement

Parent input must also be considered when determining what evaluation data is needed to determine eligibility and assess student abilities. Prior to the district completion of the self-assessment, parent input into the evaluation process was not consistently documented. The monitoring team could see that the district was already implementing procedures to improve this issue in the more recent student files reviewed. Therefore, the monitoring team finds this to be an area of needed improvement for the district.

Out of compliance

24:05:25:04. Evaluation procedures.

24:05:25:04.02. Determination of needed evaluation data.

24:05:25:03. Preplacement evaluation.

24:05:25:10. Prohibitions concerning identification of specific learning disabilities.

24:05:25:04.03. Determination of eligibility

The monitoring team validated all areas identified as out of compliance with the addition of the following. Students must be assessed in all areas of suspected disability, including, as applicable, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities. Four student files reviewed showed evidence of significant behavioral concerns, yet no behavior assessments were conducted for these students. The team also noted during file reviews that 3 of the 5 students of transition age did not have documentation of assessments in the area of transition. One evaluation timeline was extended for approximately four months before the IEP was written and implemented for the student.

The monitoring team determined that many of the district staff do not understand functional assessment and were not completing this type of evaluation with students as a part of the evaluation process. Functional assessment information is to be used for determining specific skills areas affected by the student's disability, the student's present levels of performance, their progress in the general curriculum or development of measurable annual goals and short term instructional objectives. Of the 19 files

reviewed, 16 student files had no documentation of functional assessment completed during the evaluation process, or used to make educational decisions about the students.

The school district must provide the parents with a copy of the evaluation report and documentation of the determination of eligibility. The Custer School District uses the Excent software program to complete IEPs for the students. Because this program did not have a line item for the parents to check indicating that they received a copy of their child's evaluation results, the district did not consistently have documentation to support that parents received these copies. Twelve of the files reviewed were missing this documentation.

The IEP team also may not identify a child as having a specific learning disability if the severe discrepancy between ability and achievement is primarily the result of a visual, hearing, or motor disability; mental retardation; emotional disturbance; or environmental, cultural, or economic disadvantage. Six of the 19 files reviewed did not contain documentation that this was considered while determining eligibility.

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Data sources used:

- Prior notice letter form
- Parents rights booklet
- Student IEPs
- Transfer of rights form
- Student file reviews
- Surrogate parent handbook
- Surrogate parent contracts
- Comprehensive plan
- Table L and M
- Process and procedures

Promising Practice

The steering committee identified the following as promising practices in procedural safeguards. The district has developed a form to address the transfer of rights. The Custer School District also obtains parental consent for placement at initial IEP meetings and annually thereafter.

Meets requirements

The steering committee concluded the following as areas meeting requirements in procedural safeguards. The Prior Notice form indicates whether or not a parental rights booklet has been included in the information sent to parents. The district continues to use the parental rights booklet, the surrogate parenting procedures, and continues to meet parental requests for meetings. Custer follows the protocol regarding confidentiality, access of student records, the destruction of records, and independent educational evaluations. Procedures are also in place for complaint actions and requests for due process.

Needs improvement

The steering committee noted the following as areas that need improvement. Custer's transfer of rights form does not document the discussion of the Family Education Rights and Privacy Act. The South Dakota Office of Special Education needs to provide a resource library of translated parental rights in a variety of languages. Each student file access page did not include the student name.

Out of compliance

The steering committee identified the following as areas out of compliance in procedural safeguards. The transfer of rights discussion was not consistently completed prior to each student's 17th birthday. The district did not always have documentation that parents received parental rights booklets for all evaluations, IEP meetings, and the transfer of rights. Parents were not always given a five-day waiting period before evaluations are administered.

Validation Results**Meets requirements**

While the steering committee concluded as a promising practice that the Custer School District obtains parental consent for placement at initial IEP meetings and annually thereafter, administrative rules require informed parental consent for evaluations and initial placement only. Therefore the review team finds this to be meeting requirements for the district.

While the steering committee identified that the district did not always have documentation that parents received parental rights booklets for all evaluations, IEP meetings, and the transfer of rights. The team reviewed 19 student files and could not validate this as out of compliance. All files reviewed showed that the parents received copies of parental rights.

While the steering committee identified that the district did not always give parents a five-day waiting period after receiving consent before evaluations are administered as an area out of compliance, evaluations may be completed if consent has been received. Therefore the review team finds this to be an area that meets requirements.

While the steering committee identified that the South Dakota Office of Special Education needs to provide a resource library of translated parental rights in a variety of languages as an area needing improvement, website resources have been made available to districts. Therefore this is an area that meets requirements. The review team agrees with all other areas identified as meeting requirements in procedural safeguards.

Needs improvement

While the steering committee concluded as a promising practice that the district has developed a form to address the transfer of rights, administrative rules require that the transfer of rights be addressed one year prior to the student turning 18. Therefore the use of the form could meet requirements. Student files reviewed, however, showed that the transfer of rights was not consistently addressed prior to the students' 17th birthday. Two of five files reviewed showed that this timeline was missed. In addition, when the students turn 18 years of age, the students in the Custer School District have been asked to sign a statement concerning the transfer of rights. This statement indicates that since the student still lives with his or her parents, his or her parents will continue to receive invitations to any IEP meetings and also receive copies of all educational records. This is a school district policy and there is no administrative rule to support this practice. The review team agrees with all other areas identified as needing improvement.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- Student file reviews
- Teacher surveys
- 2002 extended school year information
- Transition to preschool plan
- IEP annual review progress indicator forms
- Teacher schedules
- Modification samples

Promising Practice

The steering committee concluded as a promising practice that curriculum modifications are well in place in Custer Upper Elementary and Custer Middle School.

Meets requirements

The steering committee identified the following as meeting requirements under the principle of individual education program. Prior notices and IEPs contain all required components. Each aspect of the IEP is considered with parents, who are given copies of the IEP and, as the year progresses, progress reports. Outside agencies are invited to the IEP meetings of students in the transition process. IEPs are appropriately implemented as written. A process is also in place for the transition of children from the “Birth-to-Three” Program into Special Education.

Needs improvement

The steering committee identified the following areas as needing improvement for the district. General educators who are unable to attend an IEP meeting do not always give written input for the meeting. There is not adequate documentation that the previous year’s goals/objectives have been discussed at the IEP meetings as met or unmet. General educators need to have working copies of IEPs to facilitate the programming of students with special education for whom they are responsible. The district needs to assess the usefulness of collecting data (e.g. progress indicators). Curriculum modifications are not clearly documented at the high school level.

Out of compliance

The steering committee concluded that the Custer School district did not ensure the appropriate membership at IEP meetings and this is out of compliance.

Validation Results

Meets requirements

While the steering committee concluded as a promising practice that curriculum modifications are well in place in Custer Upper Elementary and Custer Middle School, administrative rules require that students receive all needed modifications. The review team finds this to be an area that meets requirements.

While the steering committee concluded that not all general educators have working copies of IEPs to facilitate the programming of special education students for whom they are responsible, all staff interviewed indicated that they receive copies of the goals and objectives, as well as the modification page, for each student on an IEP in their classroom. The monitoring team finds this to be meeting requirements. The review team agrees with all other areas identified as meeting requirements for the district.

Needs improvement

While the steering committee concluded that IEPs written include all required content, the present levels of performance statements in all IEPs reviewed did not include functional skill-based information about a student and his or her needs in order to develop goals and objectives. Staff was not consistently gathering functional data about students in order to write these statements. The present levels of performance statements reviewed included such information as intelligence and achievement numerical scores, placement and/or eligibility decisions, etc. An example statement reviewed was “Discussed the fact that the more information we can gather on student’s reevaluation next spring, the better because we may be able to use the vision tracking under the Other Health Impaired category as a basis for eligibility if student has improved in his current qualifying area.” Present levels of performance information regarding transition skills also was not evident in 3 of 5 files reviewed at the secondary level. The review team agrees with all other areas identified as needing improvement for the district.

Out of compliance

24:05:27:01.01. IEP team.

Of the student files reviewed, the team noted one multidisciplinary meeting without a regular educator present, and one without the parent present. One addendum was written without the special educator in attendance. Finally two IEPs were written without required membership. The first one showed that the administrator or designee was missing, and the second IEP was written with a regular educator present at the meeting.

Principle 6 – Least Restrictive Environment

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan
- Process and procedures manual
- Budgeted services and budget information
- Child count
- Parent and teacher surveys
- Tables, F, I, J, L, M, N
- List of Play Partners
- Student file reviews

- List of personnel assignments
- New teacher inservice information
- Preschool data

Promising practice

The steering committee identified as a promising practice that Custer School District offers a Play Partners Preschool Program which provides inclusive educational experiences for children with and without disabilities. The steering committee also noted that modifications in grades 3-8 in Custer are in place in almost every aspect of the core curriculum.

Meets requirements

The steering committee identified the following as meeting requirements in least restrictive environment. Teachers in special and general education work cooperatively to meet the needs of students on IEPs in academic and non-academic activities. Education is provided in an age-appropriate, LRE setting in the schools students would attend if nondisabled.

Needs improvement

The steering committee concluded that more time is needed for staff to collaborate regarding curriculum and modifications for students with disabilities. The district needs more consistent planning for special education students with behavior problems. The district also noted that more modifications need to be in evidence at the high school.

Out of compliance

When considering justification of placement, the preschool program did not consistently address potential harmful effects of the proposed placement. Therefore the steering committee concluded this to be out of compliance.

Validation Results

Promising practice

The review team agrees that the Play Partners Preschool Program is a promising practice for the school district. All students that attend screening who are toilet trained and have no behavior concerns are eligible to become a play partner. A play partner attends the district preschool along with students with disabilities, and parents are charged a nominal fee for their child to be a play partner. This practice allows for students with and without disabilities to be involved in an inclusive preschool program.

Meets requirements

The review team agrees with all areas identified as meeting requirements in least restrictive environment. The team would like to note, though, that all student files reviewed showed evidence that placement is very individualized based upon the student's needs, and that all placement alternatives were available. The middle school especially, showed that regardless of the class schedule, students could have an array of service arrangements.

While the steering committee noted that modifications in grades 3-8 in Custer are in place in almost every aspect of the core curriculum, administrative rules require that modifications be in place based upon the IEP. Therefore, the review team finds this to be an area that meets requirements.

Needs improvement

The review team agrees with all areas identified as needing improvement, with the following addition. When considering justification of placement, the steering committee identified that the preschool program did not consistently address potential harmful effects of the proposed placement. The review team could

not validate this to be out of compliance. Only one example was noted where potential harmful effects of the placement was not addressed. Therefore the monitoring team finds this to be an area of needed improvement.